

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KINSALE INSURANCE COMPANY,	)	CASE NO.: 2:23-CV-01205-CDS-NJK
	)	
Plaintiff,	)	
	)	<b>SCHEDULING ORDER</b>
vs.	)	
	)	<b>SPECIAL SCHEDULING REVIEW</b>
JD ROSS ENTERPRISES LLC dba UNIQUE	)	<b>REQUESTED</b>
CUSTOM HOMES AND FALCON CLIFF,	)	
LLC,	)	
	)	
Defendants.	)	

Pursuant to Federal Rule of Civil Procedure and Local Rule 26-1(b), Plaintiff KINSALE INSURANCE COMPANY (“Plaintiff”), and Defendant JD ROSS ENTERPRISES LLC dba UNIQUE CUSTOM HOMES (“Defendant”), by and through their respective counsels of record, having conducted an FRCP 26(f) conference on March 12, 2024, hereby stipulate to the following discovery plan and scheduling order:

1. **DISCOVERY CUT-OFF DATE.** Defendant JD Ross Enterprises, LLC first appeared on February 23, 2024. The parties suggest: **October 23, 2024.**
2. **LAST DAY TO AMEND PLEADINGS AND/OR ADD PARTIES.** Shall occur ninety (90) days prior to the Discovery Cut-off date in this case: **July 23, 2024.**
3. **DISCLOSURE OF EXPERTS.** The last day for disclosing experts will be sixty (60) days before the close of discovery: **August 23, 2024.**

4. **REBUTTAL EXPERTS.** The last day for rebuttal experts will be thirty (30) days after disclosure of initial experts: **September 23, 2024.**

5. **DISPOSITIVE MOTIONS.** The last day for filing dispositive motions shall be no later than thirty (30) days after the close of discovery: **November 25, 2024.**

6. **PRE-TRIAL ORDER.** The Joint Pre-Trial Order shall be filed no later than thirty (30) days after the date set for the filing of dispositive motions: **December 23, 2024.** The disclosures required by FRCP 26(a)(3) and any objections thereto shall be included in the Pre-Trial Order. In the event dispositive motions are filed, the filing of the Pre-Trial Order shall be suspended until thirty (30) days after the Court enters its decision on the dispositive motion, if any.

7. **F.R.C.P. 26(a)(3) DISCLOSURES.** The disclosures required by FRCP 26(a)(3) and any objections thereto, shall be included in the Joint Pre-Trial Order.

8. **ALTERNATIVE FORMS OF CASE DISPOSITION.** The parties considered consent to trial by magistrate under 28 § U.S.C. 626(c) and FRCP 73 and the use of Short Trial Program, and at this time do not consent to trial by magistrate or the short trial program.

9. **ELECTRONIC EVIDENCE.** The parties certified that they discussed whether they intend to present evidence in electronic format to jurors, and the parties determined at this time there would not be any. If the parties revisit the presentation of electronically stored information, they will file the appropriate stipulation with the Court.

10. **REASONS WHY LONGER TIME PERIOD REQUESTED FOR DISCOVERY.** Plaintiff believes that 180 days from the filing of the Answer is sufficient. Defendant proposes an additional 60 days. Defendant provides the following additional information in support of its request for an additional 60 days: There is an underlying case in Nevada's Eighth Judicial District Court, *Falcon Cliff, LLC v. J.D. Ross Enterprises, LLC dba Unique Custom Homes, et al.*, Case No. A-20-818747-D (identified in the Complaint for Declaratory Judgment as "The State Court Lawsuit"). The facts in the State Court Lawsuit are also relevant to this matter, and indeed will be necessary for this Court's determination of this matter. To date, no discovery in this case has been completed, but Defendant believes that it can complete discovery within 180 days from the date of the filing of this Stipulated Discovery Plan and Scheduling Order. If Defendant is

1 required to abide by the normal scheduling as described in LR 26-1(b), experts would be due in just  
2 over two (2) months, making it very difficult for Defendant to locate an expert, provide relevant  
3 information (from this matter and/or the State Court Lawsuit referenced in the Complaint for  
4 Declaratory Relief), and obtain an expert report. As proposed herein, Defendant believes that it can  
5 meet these special deadlines, which are only 60 days more than the deadlines described in LR 26-  
6 1(b).

7  
8 DATED: April 8, 2024

MORALES FIERRO & REEVES

9  
10 By: /s/ Kelly A. Hedberg  
11 Ramiro Morales  
12 Kelly A. Hedberg  
13 Attorneys for Plaintiff  
14 KINSALE INSURANCE COMPANY

15  
16 DATED: April 8, 2024

ALDRICH LAW FIRM, LTD.

17 By: /s/ John P. Aldrich  
18 John P. Aldrich  
19 Catherine Hernandez  
20 Attorneys for Defendant  
21 JD ROSS ENTERPRISES, LLC dba  
22 UNIQUE CUSTOM HOMES

23 IT IS SO ORDERED.

24 DATED this 9th day of April, 2024.

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UNITED STATES MAGISTRATE JUDGE